

PATENT APPLICATION J TWO Docket No: 16585.6.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re application of: | |) |
|-----------------------|---|----------------------|
| | William B. Busa |) |
| Serial No.: | 09/768,686 |) Art Unit) 1631 |
| Filed: | January 24, 2001 |) 1031 |
| Confirmation: For: / | METHOD AND SYSTEM FOR AUTOMATED INFERENCE CREATION OF PHYSICO-CHEMICAL INTERACTION KNOWLEDGE FROM DATABASES OF CO-OCCURRENCE DATA |) |
| Examiner: | Shubo Zhou |) |

PETITION TO EXCUSE ERROR IN SMALL ENTITY STATUS AND PAYMENT OF DEFICIENCY OWED PURSUANT TO 37 CFR § 1.28

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

The above-identified patent application was filed in the United States Patent and Trademark Office on January 24, 2001 with a claim of small entity status. The application subsequently lost entitlement to claim small entity status on or about August 28, 2002. Applicant respectfully submits that the small entity status was established in good faith and that the fees as a small entity were paid in good faith. Accordingly, applicant hereby petitions that the error in claiming small entity status be excused pursuant to 37 CFR § 1.28(c).

08/03/2006 SLUANGI 00000002 09768686 01 FC:1251 Set forth below is an itemization of the deficiency payment.

| | Date | Current Fee for | Small Entity Fee | |
|---------------------------|---------|------------------|------------------|------------|
| Type of Fee Paid | Paid | Non-Small Entity | Actually Paid | Difference |
| 1-month extension of time | 9/16/03 | \$120 | \$55 | \$65 |
| 3-month extension of time | 6/21/04 | 1020 | 475 | 545 |
| Deficiency Owed | | | | \$610 |

In view of the foregoing, the total deficiency payment owed has been calculated to be \$610. Enclosed herewith please find Form PTO-2038 submitting the required payment of \$610. Applicant has endeavored to determine the deficiency payment with due diligence. If a discrepancy is detected in the calculation of the deficiency payment, the Patent Office is hereby authorized to deduct any further required payment or to apply any overpayment to deposit account no. 23-3178. A duplicate copy of this paper is enclosed.

Finally, pursuant to 37 CFR § 1.28(c) applicant requests that this submission be treated as a notification of loss of entitlement to small entity status.

Dated this <u>3/</u> day of July 2006.

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant

Registration No. 37,246 Customer No. 022913

Telephone: (801) 533-9800

Fax: (801) 328-1707

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CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the 3/ day of July 2006.

- Petition to Excuse Error in Small Entity Status (2 pages) (in duplicate)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$610
- Postcard

Respectfully submitted,

DANA L. TANGREN

Attorney for Applicant Registration No. 37,246

Customer No. 022913

Telephone No. 801.533.9800

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